

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA
89 SOUTH CALIFORNIA ST., SUITE 200
VENTURA, CA 93001
(805) 585-1800

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July 20, 2006

To: Commissioners and Interested Parties

From: Jack Ainsworth, Senior Deputy Director
Gary Timm, District Manager
Deanna Christensen, Coastal Program Analyst

Re: **City of Oxnard LCP Minor Amendment No. 1-06 to the Implementation Plan**
(Oxnard Coastal Zoning Ordinance) to be reported at the August 9, 2006 Commission hearing at the Los Angeles Harbor Hotel, 601 S. Palos Verdes St., San Pedro, CA. 90731.

Amendment Description

The proposed amendment request is to amend the City's Implementation Plan, which the City of Oxnard refers to as the Coastal Zoning Ordinance, in order to incorporate minor text and formatting changes associated with a reorganized City Code. Specifically, the proposed amendment to the City's Implementation Plan includes renumbering all sections and subsections, changing section numbers that reference revised sections of the City Code, correcting typographical and grammatical errors in text, correcting policy number references, updating personnel titles, and omitting the exception of metal from the roofing materials that are allowed for single-family dwellings.

Determination

Pursuant to Section 30514(c) of the Coastal Act and Section 13554 (a) of the Commission's regulations, the Executive Director has determined the proposed amendment is "minor" in nature. Sections 13554 and 13554 (a) of the Regulations provide that a minor amendment includes, but is not limited to, changes which: 1) make the use as designated in implementing actions more specific; 2) do not change the kind, intensity, or density of use; and 3) are consistent with the certified Land Use Plan (LUP).

The proposed amendment to the City's Implementation Plan includes renumbering all sections and subsections, changing section numbers that reference revised sections of the City Code, correcting typographical and grammatical errors in text, correcting policy number references, updating personnel titles, and omitting the exception of metal from the roofing materials that are allowed for single-family dwellings. Section 37-4.2.6(2) of the Implementation Plan states that single-family dwellings shall incorporate "a roof constructed of fire resistant, asphalt composition shingle, tile, or similar fire resistant roofing material (excepting metal)". This exception of metal from the list of acceptable roofing material for single-family dwellings pertains to avoiding possible reflectivity and visual impacts. However, Section 37-4.2.6(3) of the Implementation Plan states that single-family dwellings shall incorporate "exterior siding of brick, wood, stucco, plaster, concrete, metal or similar material which is finished in a nonglossy and nonreflective

manner". This provision of the single-family dwelling design standards ensures that no visual impacts would occur from allowing metal roofing material since exterior siding must have a nonglossy and nonreflective finish. As such, the proposed change will not affect visual resources. Therefore, the proposed changes to the City's Implementation Plan do not alter the kind, intensity, or density of use. The proposed amendment does not necessitate changes to the certified LUP, and the amended LIP will not result in any alteration of the intent of the policies of the LUP. Therefore, the proposed amendment to make minor text and formatting changes to the LIP and omit the exception of metal from the roofing material design standards for single-family dwellings is consistent with the certified LUP, and considered "minor" as defined under Section 13554(a).

Procedures

The City of Oxnard Planning Commission approved the proposed amendment on March 16, 2006. The Oxnard City Council approved the proposed amendment on March 28, 2006. Per Section 13551(b)(1) of the Commission's Regulations, the proposed amendment will take effect automatically upon Coastal Commission approval.

Section 13555 of the Commission's Regulations requires the Executive Director to prepare a report describing the proposed amendment and providing notice of the Executive Director's determination the amendment is of a "minor" nature. Section 13555 also requires the Executive Director to report to the Commission at the next meeting, his or her determination and objections to the determination, if any, that have been received within 10 working days. If one third of the appointed members of the Commission requests, the determination of minor amendment shall not become effective and the amendment shall be processed in accordance with Section 13555(b).

Notification and Objections

Notification of the proposed amendment was mailed July 20, 2006. The ten-day objection period will therefore terminate on August 3, 2006. The Commission will be notified at the August 9, 2006 meeting of any objections.

RESOLUTION NO. 2006-13

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING TO THE CITY COUNCIL THE ADOPTION OF PZ 06-410-01, AMENDING THE ADOPTED LOCAL COASTAL PROGRAM BY REVISING CHAPTER 17, COASTAL ZONING ORDINANCE, OF THE CITY CODE CONCERNING MINOR TEXT AMENDMENTS, REORGANIZATION OF THE COASTAL ZONING ORDINANCE AND SPECIFIC CHANGES TO POLICY NUMBERS AND THE ALLOWANCE OF METAL ROOFS. FILED BY THE CITY OF OXNARD, 305 W. THIRD STREET, OXNARD, CA 93030.

WHEREAS, the Planning Commission of the City of Oxnard has considered PZ-06-410-01, filed by the City of Oxnard, to amend Chapter 17 of the City Code and the Local Coastal Program concerning reorganization of the Code and minor text changes; and

WHEREAS, the Planning Commission has held a public hearing on this application; and

WHEREAS, the Planning Commission finds that the public interest and general welfare requires such an amendment; and

WHEREAS, the Planning Commission recommends the City Council find that the amendments conform to the General Plan and Local Coastal Program the Coastal Act; and

WHEREAS, the Planning Commission finds that the California Environmental Quality Act (CEQA) does not apply to the policy renumbering and allowance of metal roofs pursuant to the general rule expressed in section 15061(b)(3) of the State CEQA Guidelines that CEQA applies only to projects which have the potential for causing a significant effect on the environment and there is no possibility that the adoption of this ordinance and resolution may have a significant effect on the environment; and

WHEREAS, the Planning Commission finds that certified Negative Declaration 05-02 addresses the overall reorganization of Chapter 17 and there is no substantial evidence that the project will have a significant effect on the environment.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Oxnard hereby recommends to the City Council adoption of the ordinance attached hereto as Exhibit A.

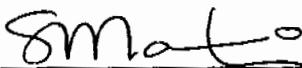
PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 16th day of March, 2006 by the following vote:

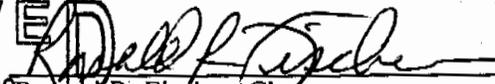
AYES: Dean, Pinkard, Lopez, Okada, Medina, Sanchez, Fischer

NOES: None

ABSENT: None

ATTEST:


Susan L. Martin, Secretary

RECEIVED

APR 28 2006 Ronald R. Fischer, Chairman

CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

RECEIVED

APR 28 2006

CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

CITY COUNCIL OF THE CITY OF OXNARD

ORDINANCE NO. 2716

ORDINANCE OF THE CITY OF OXNARD, CALIFORNIA,
DESIGNATING CHAPTER 17 OF THE CITY CODE AS THE COASTAL ZONING
ORDINANCE AND MAKING MINOR AMENDMENTS THERETO

WHEREAS, on July 26, 2005, the City Council adopted Ordinance No. 2694, reorganizing the City Code, including designating the coastal zoning ordinance as Chapter 17; and

WHEREAS, the California Coastal Commission must certify such designation before it becomes effective; and

WHEREAS, the City Council has considered an application for PZ-06-410-01, filed by the City of Oxnard, to designate Chapter 17 of the City Code as the coastal zoning ordinance and to amend Chapter 17 and the Local Coastal Program; and

WHEREAS, the Planning Commission held a public hearing on the application and recommended that the City Council grant the application; and

WHEREAS, the City Council finds that the proposed amendments to Chapter 17 conform to the 2020 General Plan, the Local Coastal Program and the Coastal Act; and

WHEREAS, the City Council finds that the California Environmental Quality Act (CEQA) does not apply to the proposed amendments (renumbering policies and section numbers, correcting grammar and typographical errors, allowing metal roofs, and adding the HCI and R-BF zone districts to the list of coastal subzones), which fall within the general rule expressed in section 15061(b)(3) of the State CEQA Guidelines that CEQA applies only to projects which have the potential for causing a significant effect on the environment, and there is no possibility that the adoption of this ordinance may have a significant effect on the environment; and

WHEREAS, the City Council finds that certified Negative Declaration 05-02 addresses the overall reorganization of Chapter 17, and there is no substantial evidence that the project will have a significant effect on the environment.

NOW, THEREFORE, the City Council of the City of Oxnard does ordain as follows:

Part 1. The City Council confirms its action designating the coastal zoning ordinance as Chapter 17 of the City Code in the format shown in Exhibit A, attached hereto and incorporated herein by reference.

Part 2. As shown in Exhibit A, Chapter 17 includes corrections to section numbers that refer to other sections of the City Code, corrections of policy numbers (Exhibit B), the addition of the HCI and R-BF zone districts to the list of coastal subzones, and minor changes to improve grammar and correct typographical errors.

Part 3. The words "(except metal)" are deleted from subpart (F)(2) of section 17-46, as shown in Exhibit A.

Part 4. The Planning and Environmental Services Manager is directed to forward this ordinance to the California Coastal Commission for certification.

Part 5. The City Council directs the Planning and Environmental Services Manager to prepare a summary of this ordinance. The City Council directs the City Clerk to publish the summary and to post a certified copy of the full text of this ordinance in the office of the City Clerk at least five days prior to the City Council meeting at which the proposed ordinance is to be adopted. Within fifteen days after adoption of the ordinance, the City Clerk shall publish the summary with the names of those City Council members voting for and against the ordinance, and the City Clerk shall post in the office of the City Clerk a certified copy of the full text of the adopted ordinance, along with the names of those City Council members voting for and against the ordinance.

Part 6. Ordinance No. 2716 was first read on March 21, 2006, and finally adopted on March 28, 2006, to become effective on certification by the California Coastal Commission, but not earlier than 30 days after the date of final adoption.

AYES: Councilmembers Herrera, Maulhardt, Zaragoza and Flynn.

NOES: None.

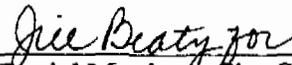
ABSENT: Mayor Holden.



Dr. Thomas E. Holden, Mayor

ATTEST:

APPROVED AS TO FORM:



Daniel Martinez, City Clerk



Gary L. Gillig, City Attorney